

ASSIGNED
42781

Serial No.

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. NOV 6 1980

Returned to applicant for correction. FEB 25 1981

Corrected application filed. MAR 9 1981 Map filed MAR 9 1981

The applicant. SUMMA Corporation

P. O. Box 14000 of Las Vegas
Street and No. or P.O. Box No. City or Town

Nevada 89156 hereby make S application for permission to change the
State and Zip Code No.

of water heretofore appropriated under Permit 10553, Certificate 3140

Point of Diversion, Place of Use and Manner of Use
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 0.20 CFS, 144.8 Acre Feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal (Hotel) and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for Quasi-Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T.21S., R.61E., MDB&M, whence the S.W. Corner of said Section 9 bears S. 82 $^{\circ}$ 29' 59" W a distance of 594.5 feet.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T.21S., R.61E., MDB&M or at a point from which the N.E. Corner of said Section 9 bears N. 47 $^{\circ}$ 30' 30" E. 1518.3 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use is a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16 and a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, all in T.21S., R.61E., MDB&M, the lands considered appurtenant to the Frontier Hotel.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T.21S., R.61E., MDB&M.
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use has been from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Cased Well and Pump, Reverse Osmosis Unit, Chlorination Unit, Storage Tank, Pipelines, pumps and valves to the place of use.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works.....\$350,000.....
- 13. Estimated time required to construct works..... 2 years.....
- 14. Estimated time required to complete the application of water to beneficial use..... 2 years.....
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be used to fulfill the annual requirement of a 590 room hotel with restaurants and the proposed 1,200 room hotel with restaurants, showrooms, etc. Present use is 317 Acre Feet/year.

Compared sb/bl bt/bc Applicant.....

By s/James T. Anspach
James T. Anspach, State Water Rights Surveyor
1785 E. Sahara Ave., Suite 300
Las Vegas, Nevada 89104

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the Point of Diversion, Place of Use, and Manner of Use of the waters of an underground source as heretofore granted under Permit 10553, Certificate 3140 is issued subject to the terms and conditions imposed in said Permit 10553, Certificate 3140 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permits 42782 and 42783 shall not exceed 186.957 million gallons per year.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.20 cubic feet per second, but not to exceed 47.181 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before January 18, 1984

Proof of completion of work shall be filed before February 18, 1984

Application of water to beneficial use shall be made on or before January 18, 1987

Proof of the application of water to beneficial use shall be filed on or before February 18, 1987

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
Completion of work filed APR 05 1985
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of JANUARY
A.D. 19 82
Peter G. Morros
State Engineer